1	ORDINANCE NO.		
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3	AN ORDINANCE TO GRANT A FRANCHISE FOR THE USE OF CITY		
4	RIGHT-OF-WAY FOR THE PLACEMENT OF RESTAURANT TABLES		
5	AND THE RELOCATION OF A PATHWAY CONSISTENT WITH THE		
6	AMERICANS WITH DISIABILITIES ACT TO THE OWNERS OF		
7	RADUNO BRICK OVEN, LOCATED AT 1318 SOUTH MAIN STREET; TO		
8	SET THE TERMS AND CONDITIONS; AND FOR OTHER PURPOSES.		
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10	WHEREAS, the development of South Main Street is in the best interests of the City, and the		
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12	beneficial to the City; and,		
13	WHEREAS, a proposed development has suggested the use of City right-of-way for the placement of		
14	customer tables, and the further use of City parking places for a new pathway that is compliant with the		
15	Americans with Disabilities Act has been requested;		
16	NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY		
17	OF LITTLE ROCK, ARKANSAS:		
18	Section 1. Pursuant to the conditions set forth in this ordinance, Raduno Brick Oven, located at 1318		
19	South Main Street, in conformity with the drawing attached as Exhibit A to this ordinance, is hereby granted		
20	subject to the terms and conditions set forth in Section 2.		
21	Section 2. The terms and conditions for this franchise are as follows:		
22	1. An annual fee equal to the lease rental per square-foot for Raduno Brick Oven shall be		
23	applied to each square-foot of area utilized with this franchise, and shall be to the City paid		
24	by January 15th of each year the franchise is in place;		
25	2. In addition to the annual franchise fee, an amount equal to the proportional collection for		
26	parking spaces in the South Main Street area pursuant to City parking fee collections shall		
27	be paid to the City every six (6) months based upon the collection history for such spaces		
28	during the immediately preceding six (6) months;		
29	2. The area developed by the owners of 1318 Raduno Brick Oven shall comply in all respects		
30	with the requirements of the Americans with Disability Act for pathways, and shall be the		
31	responsibility of the owner to obtain approval from the ADA Committee of the City on an		
32	annual basis;		
33	3. The term of the franchise shall initially be from the date of the passage of this ordinance,		
34	and the statutory time frame for the effective date of franchises, until December 31, 2017,		

1	with the understanding that the fra	anchise shall automatically renew for one (1)-year periods	
2	of January 1st to December 31st, unless written notice is given by either party within forty-		
3	five (45) days of the end of a calendar year of the intent not to renew the franchise;		
4	4. The franchise shall not run with the land and shall not be automatically assumed by any		
5	subsequent purchaser or lessor of the property to be known as Raduno Brick Oven as		
6	identified on the effective date of this ordinance;		
7	5. Any necessary expense involved	with utility relocation shall be borne by the franchisee	
8	with no recourse against the City	or any utility should utility relocation be required for a	
9	public purpose;		
10	6. At any time that the City determines it is necessary to end this franchise for a public		
11	purpose, or because of any change in Federal, State, County, or local law, regulations, or-		
12	dinances, or requirements of any kind, the franchise shall cease and all improvements re-		
13	moved at the expense of the owner as possible after notice, and in any event no later than		
14	thirty (30) days after such notice.		
15	Section 3. Severability. In the event any title, section, paragraph, item, sentence, clause, phrase		
16	or word of this ordinance is declared or adjudged to be invalid or unconstitutional such declaration or ad-		
17	judication shall not affect the remaining portions of the ordinance which shall remain in full force and effect		
18	as if the portion so declared or adjudged invalid or unconstitutional were not originally a part of the ordi-		
19	nance.		
20	Section 5. Repealer. All laws, ordinances, resolutions, and parts of the same that are inconsistent with		
21	the provisions of this ordinance are hereby repealed to the extent of such inconsistency.		
22	PASSED: November 17, 2015		
23	ATTEST:	APPROVED:	
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26	Susan Langley, City Clerk	Mark Stodola, Mayor	
27	APPROVED AS TO LEGAL FORM:		
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29 30	Thomas M. Carpenter, City Attorney		
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